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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on 19th May, 2006:—

BILL NO. XLII OF 2006

A Bill further to amend the Apprentices Act, 1961.

Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Apprentices (Amendment) Act, 2006.

Short title and
commence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

52 of 1961.

2. In the Apprentices Act, 1961 (hereinafter referred to as the principal Act), after section 3A, the following section shall be inserted, namely:—

Insertion of
new section
3B.

“3B. (1) In every designated trade, training places shall be reserved by the employer for the Other Backward Classes and where there is more than one designated trade in an establishment, such training places shall be reserved also on the basis of the total number of apprentices in all the designated trades in such establishment.

Reservation of
training places
for Other
Backward
Classes in
designated
trades.

(2) The number of training places to be reserved for the Other Backward Classes under sub-section (1) shall be such as may be prescribed, having regard to the population of the Other Backward Classes in the State concerned.”

Amendment
of section 8.

3. In section 8 of the principal Act, in sub-section (3), for the second proviso, the following proviso shall be substituted, namely:—

"Provided further that the Apprenticeship Adviser may, on a representation made to him by an employer and keeping in view the more realistic employment potential, training facilities and other relevant factors, permit him to engage such number of apprentices for a designated trade as is lesser than the number arrived at by the ratio for that trade, not being lesser than fifty per cent. of the number so arrived at, subject to the condition that the employer shall engage apprentices in other trades in excess in number equivalent to such shortfall."

Amendment
of section 10.

4. In section 10 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) Related instruction shall be imparted at the cost of employer and the employer shall, when so required, afford all facilities for imparting such instruction."

STATEMENT OF OBJECTS AND REASONS

The Apprentices Act, 1961 provides for regulation and control of training of apprentices. Section 3A of the Act makes provisions for reservation of training places for the Scheduled Castes and Scheduled Tribes, but there is no provision for reservation of training places for the Other Backward Classes (OBCs). The Apprentices (Amendment) Bill, 2006 seeks to provide reservation for the OBCs in apprenticeship training.

2. Secondly, as per second proviso of sub-section (3) of section 8, the flexibility up to twenty per cent. in the matter of engagement of apprentices in a trade, is presently available, provided that over all quota fixed for an establishment remains the same. There is need to amend section 8 in order to provide flexibility up to fifty per cent. in the matter of engagement of apprentices in a trade, provided that over all quota fixed for the establishment remains the same.

3. Thirdly, sub-section (1) of section 10 provides that a trade apprentice who is undergoing practical training in an establishment shall, during the period of practical training, be given a course of related instruction which shall be appropriate to the trade approved by the Central Government in consultation with the Central Apprenticeship Council, with a view to giving the trade apprentice such theoretical knowledge as he needs in order to become fully qualified as a skilled craftsman. Sub-section (2) of the said section provides that related instruction shall be imparted at the cost of appropriate Government but the employer shall, when so required, afford all facilities for imparting such instruction. The reimbursement of related instruction to the establishments by the appropriate Government involves a lot of paper work, which could be avoided if the expenditure on related instruction is also borne by the establishment as in case of stipend. It is, therefore, proposed to amend section 10 to impart related instruction at the cost of employer instead of appropriate Government.

The Bill seeks to achieve the above objectives.

K. CHANDRA SEKHAR RAO.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill seeks to insert new section 3B wherein sub-section (2) empowers the Central Government to make rules in regard to the reservation of training places for Other Backward Classes in designated trades.

The matters in respect of which rules may be made are matters of procedure and detail. The delegation of power is, therefore, of a normal character.

YOGENDRA NARAIN,
Secretary-General.